

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

MCALAN DUNCAN, CROSS FLS, LLC,

Plaintiffs,

v.

FRANK MAJORIE,

Defendant.

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3:15-CV-00977-P

**ORDER**

Now before the Court is Defendant's Motion to Transfer and/or Dismiss the Case. Doc.

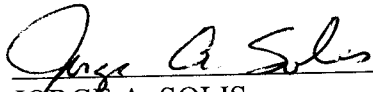
6. This case is brought by a lawyer and his loan servicing company against the lawyer representing a liquidating trust in several pending adversary proceedings and contested matters against them. Doc. 6 at 5. Plaintiffs claim that Defendant is liable for "more than \$1,000,000" in damages for defamation, tortious interference, and malicious prosecution. *Id.* The lawsuit was initially filed in Texas state court on February 27, 2015. Defendant timely removed the case to this Court on March 30, 2015. Doc. 1. On April 6, 2015, Defendant filed this Motion to Transfer and/or Dismiss the Case.

As of the date of this Order, Plaintiffs have not filed a Response to Defendant's Motion to Transfer and/or Dismiss. Moreover, in their Notice of Filing of Statement Pursuant to Fed. R. Bankr. P. 9027(e)(3) (the "Notice"), filed on April 13, 2015, Plaintiffs state their intention to timely file a Motion to Remand under 28 U.S.C. § 1147(c). Doc. 8-1 at 2. However, more than thirty days have passed since Defendant filed his Notice of Removal and Plaintiffs have yet to file a Motion to Remand.

Upon reviewing the Defendant's Motion to Transfer, it is apparent to the Court that a transfer to the Nevada District Court is proper under 28 U.S.C. §§ 1412, 1404(a). Accordingly, Defendant's Motion is GRANTED as to his request to transfer the case to the Nevada District Court.

**IT IS SO ORDERED.**

Signed this 26<sup>th</sup> day of May, 2015.

  
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JORGE A. SOLIS  
UNITED STATES DISTRICT JUDGE